

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEBRASKA**

IN THE MATTER OF)	Case No. BK 18-81127-TLS
)	
EAT FIT GO HEALTHY FOODS, LLC et al. ¹)	Chapter 11
)	
Debtors.)	

**STIPULATION FOR PAYMENT OF GORDON FOOD SERVICE INC.
ADMINISTRATIVE EXPENSE CLAIM**

COMES NOW, Eat Fit Go Healthy Foods, LLC, et al., debtors and debtors-in-possession in the above captioned bankruptcy case ("Debtors"), and Gordon Food Service Inc. ("Gordon"), by their counsel, pursuant to 11 U.S.C. §§ 105(a), 363(c)(1) and 503, and stipulate as follows:

1. On April 18, 2019, Gordon filed a certain Application of Gordon Food Service Inc. for Allowance and Payment of Administrative Priority Claim pursuant to 11 U.S.C. §503(b)(1)(A) (Doc. No. 219) (the "Application") seeking allowing of an administrative claim for \$13,505.23 (the "Gordon Administrative Claim")

2. On May 10, 2019, this Court entered a text Order granting the Application.

3. On June 20, 2019, Debtors filed a certain Motion for an Order Approving Payment of Certain Administrative Expenses (Doc. No. 234) ("Administrative Expense Motion") which inadvertently omitted a reference to the Gordon Administrative Claim.

4. Rather than modify the relief requested in the Administrative Expense Motion, the parties hereby stipulate and agree that the Gordon Administrative Claim will be paid in full first after the MREM Administrative Claim (see Doc. No. 241) from the net proceeds of any

¹ Debtors in these cases include: Eat Fit Go Omaha Kitchen, LLC, Eat Fit Go Kansas City Kitchen, LLC, Eat Fit Go Georgia Kitchen, LLC, Eat Fit Go Arizona Kitchen, LLC, Eat Fit Go Healthy Foods - Des Moines, LLC, Eat Fit Go Healthy Foods - Kansas City, LLC, EFG Shared Services, LLC (No Rev), Eat Fit Go Healthy Foods - Omaha, LLC, and Eat Fit Go Healthy Foods - Minnesota, LLC.

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avoidance actions under Chapter 5 of the Bankruptcy Code as discussed in the Administrative Expense Motion.

5. Gordon does not waive, but rather expressly reserves, all other rights and remedies available to it not expressly discussed in this stipulation, at law or in equity.

WHEREFORE, Debtors and Gordon respectfully request this Court enter an order: (1) granting the relief requested in this Stipulation; (2) overruling all objections to this Stipulation; and (3) granting any other relief at equity or law this Court deems necessary or appropriate.

**EAT FIT GOT HEALTHY FOODS, LLC,
Debtors**

By: /s/ Paul M. Hoffmann
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 15th day of July, 2019, true and correct copies of the (1) *Stipulation for Payment of Gordon Food Services, Inc. Administrative Expense Claim*; and (2) Notice of Objection / Resistance Deadline related thereto, were sent to those parties receiving electronic notice via the CM/ECF system, and by United States Postal Mail, postage prepaid, to those parties identified in CM/ECF as not receiving electronic notice.

/s Paul M. Hoffmann
Paul M. Hoffmann, MO # 31922